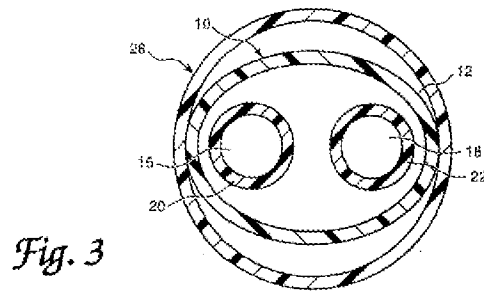


REMARKS

Independent claims 1 and 57 are rejected under 35 U.S.C. § 102(b) as being anticipated by Mower et al. (U.S. Pat. No. 5,476,497). In particular, Fig. 3 of Mower is relied upon:



Mower discloses an oval-shaped lead body 10. In Fig. 3, the oval-shaped lead body 10 is shown inserted into a cylindrical catheter 26. The oval-shaped lead body 12 forms an inner oval cavity 14. Two insulated conductors 16 and 18 extend through the oval cavity 14.

The examiner contends that Mower discloses all the limitations of claim 1. As to the multi-lumen tube limitation, the examiner characterizes Fig. 3 as showing a multiple lumen tube because the spaces between the catheter 26 inner surface and the lead body 10 outer surface are considered to be lumens.

The disclosure in Mower is of a single oval cavity 14 within which both conductors 16 and 18 are located. Claim 1 has been amended to recite that the multi-lumen tube includes an individual conductor lumen for each of the plurality of conductors. This limitation clearly distinguishes Mower's single cavity, dual conductor lead configuration.

However, more significantly, claim 1 specifies the substantially elliptical lumen cross-section includes a minor axis having a first length in a relaxed state and being deformable such that the first length of the minor axis extends to a second length, the second length greater than the first length. The conductor that extends within the substantially elliptical cross-section individual conductor lumen

has a substantially circular cross-section having an outer diameter greater than the first length of the minor axis of the lumen so as to contact the inner surface of the lumen to maintain the lumen in a deformed state wherein the minor axis assumes a length greater than the non-deformed first length of the minor axis.

The examiner contends that Mower discloses the specified relationship between a conductor and an elliptical lumen wherein “inherently” there is contact between them. However, Fig. 3 does not show that to be the situation. More significantly, Mower provides specific dimensions of the conductors 16 and 18 and the length of the axis A (major axis) and the axis B (minor axis) in the following table presented in column 3, lines 5-10:

	Typical	Range
Diameter of Conductors:	0.9 mm	0.5-2.0 mm
Length of lead body (axis A):	3.0 mm	2.0-7.0 mm
Width of lead body (axis B):	1.1 mm	1.0-3.0 mm

Clearly the diameter of the conductor at 0.9 mm is less than the length of axis B at 1.1 mm. Accordingly, the examiner’s characterization of Mower as having a conductor outer diameter greater than the minor axis length of the elliptical lead body and there being contact between the conductor and the inner surface of the substantially elliptical cross-section tube is erroneous.

Both independent claim 1 and claim 57 include the limitation. Therefore, the anticipation rejection of the claims based on Mower is without basis and should be withdrawn. Further, the basis for the alternative obviousness rejection on Mower related to the multi-lumen limitation. So, the obviousness rejection also necessarily fails.

Further, each of the remaining rejections is predicated on the same erroneous characterization of Mower as set forth in the anticipation rejection. As such, each of those rejections is without basis and should be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

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Date

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